

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

HOWARD HORNSBY,)	
)	
Plaintiff,)	2:11-cv-1745-ECR-VPC
)	
vs.)	
)	<u>ORDER</u>
HILTON RESORTS AND CASINO,)	
)	
Defendant.)	
_____)	

On December 1, 2011, Plaintiff filed a motion for leave to proceed in forma pauperis (#5), which was granted (#6) on October 8, 2011. On June 13, 2012, a notice of intent to dismiss pursuant to Federal Rule of Civil Procedure 4(m) (#12) was issued, notifying Plaintiff that the action will be dismissed without prejudice against Hilton Resorts and Casino unless proof of service is filed before July 13, 2012. Plaintiff was notified that the proof of service must show that service took place prior to the expiration of the 120-day time limit in Rule 4(m), or show good cause why service was not made in that period.

On June 25, 2012, summons (#13) was issued as to Hilton Resorts and Casino. On June 25, 2012, Plaintiff filed a letter (#14) indicating that as a pro se plaintiff his inexperience with the court system and other factors have resulted in his failure to file timely proof of service. Plaintiff claims that he originally thought that Hilton Resorts and Casino had already been served. Plaintiff requests more time to serve Hilton Resorts and Casino.

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IT IS, THEREFORE, HEREBY ORDERED that Plaintiff shall have until September 14, 2012 to file proof of service. Plaintiff must include a statement showing good cause for the delay in serving Hilton Resorts and Casino at that time, in addition to the letter (#14) filed previously.

DATED this 20th day of July, 2012.

A handwritten signature in black ink that reads "Edward C. Reed, Jr." The signature is written in a cursive style with a large, stylized "E" and "R".

EDWARD C. REED, JR
UNITED STATES DISTRICT JUDGE